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In re Application of MEDVINSKY et al
U.S. Application No.: 09/890,178
Int. Application No.: PCT/US00/02317
Int. Filing Date: 28 January 2000
Priority Date: 29 January 1999
Attorney Docket No.: 018926-0003400US
For: SELF-GENERATION OF CERTIFICATES
USING A SECURE MICROPROCESSOR IN
A DEVICE FOR TRANSFERRING
DIGITAL INFORMATION

DECISION

This is in response to the "Petition to Change the First Name of Inventor Under 37 CFR 1.182" filed 04 April 2002.

BACKGROUND

On 28 January 2000, applicants filed international application PCT/US00/02317, which claimed priority of an earlier United States application filed 29 January 1999. A Demand for international preliminary examination, in which the United States was elected, was filed on 22 August 2000, prior to the expiration of nineteen months from the priority date. Accordingly, the thirty-month period for paying the basic national fee in the United States expired at midnight on 30 July 2001 (29 July 2001 was a Sunday).

On 26 July 2001, applicants filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1).

On 06 September 2001, the DO/EO/US mailed a Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905), which indicated that an oath or declaration in compliance with 37 CFR 1.497 must be filed along with a surcharge under 37 CFR 1.492(e) for providing the oath or declaration later than thirty (30) months from the priority date.

On 03 January 2002, applicants filed an executed declaration.

On 25 January 2002, this Office mailed a communication which identified a discrepancy in the first inventor's name.

On 04 April 2002, applicants filed the present petition.

DISCUSSION


A review of the application file reveals that the given name of the first inventor is listed in the international application as "Sasha" while the given name is listed in the declaration as "Alexander". The petition states that the inventor's nickname "Sasha" was inadvertently used in the international application instead of the inventor's given name "Alexander". The petition is accompanied by the requisite petition fee of \$130.00 as well as statements from the inventor and the person having firsthand knowledge of the error. These statements set forth the specific circumstances as to how and when the error was made and set forth that the mistake was an inadvertent error without deceptive intent.

CONCLUSION

For the reasons above, the petition under 37 CFR 1.182 is GRANTED.

The application has an International Filing Date of 28 January 2000 and a date under 35 U.S.C. 371 of 03 January 2002.

The application will be forwarded to the United States Designated/Elected Office (DO/EO/US) for processing in accordance with this decision


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